

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

**MARI MAROTTA**

*Plaintiff,*

**v.**

**MONROE COUNTY (MONROE COMM.  
HOSPITAL),**

*Defendant.*

**Stipulation and Order of  
Settlement  
Case No. 14-CV-6310[EAW]**

**ORDER & STIPULATION DISCONTINUING ACTION [FRCP Rule 41]**

**WHEREAS,** no receiver has been appointed in this action; and

**WHEREAS,** this is not a class action; and

**WHEREAS,** the defendant denies the allegations contained in the Plaintiff's Complaint and discovery responses and amendments to those papers; and

**WHEREAS,** the defendant denies liability, culpability, fault, malfeasance, misfeasance and nonfeasance; but

**WHEREAS,** the defendant is desirous of resolving this action without incurring additional litigation costs, disbursements, expenses and expert witness fees;

**NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED,** by and between the undersigned, the attorneys of record for the parties and the plaintiff, that:


1. The above-entitled action be discontinued without costs to either party against the other.

2. The above-entitled action be discontinued with prejudice and on the merits, and without costs or attorneys fees to either party against the other.

3. The above-entitled action be discontinued against Monroe County (Monroe Community Hospital) with prejudice and on the merits and without costs to or against Monroe County.

4. This Stipulation may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which counterparts taken together shall constitute one and the same instrument.

  
Mari Marotta, Plaintiff

  
MICHAEL E. DAVIS, ESQ.  
MONROE COUNTY ATTORNEY  
*Attorney for defendants*  
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**IT IS SO ORDERED.**

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Hon. Elizabeth A. Wolford  
United States District Court for the  
Western District of New York

Dated: February , 2018  
At: Rochester, New York

